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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,190	10/22/2003	Clayton L. Holstun	100200774-1	6785
22879	7590	02/10/2006	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			LEBRON, JANNELLE M	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/691,190	<b>Applicant(s)</b> HOLSTUN ET AL.	
	<b>Examiner</b> Jannelle M. Lebron	<b>Art Unit</b> 2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 3-12, 14-17, 19, 20, 22-24 and 26-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 4-18 and 21-29 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 3, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Yang et al. (US Patent 6,527,355).

3. Regarding claim 3, Yang et al. discloses a “printing system, comprising:

an inkjet printhead (4 in figure 1) configured to traverse bi-directionally over a printzone printing one swath in a first direction, and a subsequent swath in a second direction opposite the first direction (direction of arrow 14 in figure 1; column 2, lines 50-55), with the printhead rising to a base temperature (as seen in the table in figure 3) in response to a pre-warming signal prior to beginning each swath (column 4, line 66 – column 5, line 5; even if it's stated in the reference that the detector detects the temperature of the printhead at the beginning of each swath, it's the same to state it is detecting the temperature at the end of each swath);

a temperature sensor configured to monitor a temperature of the printhead (column 3, lines 8-11); and

a controller [100 in figure 1) configured to generate the pre-warming signal in response to an end of swath temperature monitored by the temperature sensor

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following conclusion of printing the one swath (column 3, line 64 – column 4, line 5), wherein the controller sets the base temperature for printing the one swath at a first temperature, and the base temperature for printing the subsequent swath at a second temperature above the first temperature (as seen in the table in figure 3; column 4, lines 6-20).”

4. Regarding claim 19, Yang et al. discloses a change in swath temperature “wherein the changing is conducted in accordance with a rule-based system [it is clear in the description that the system has a predetermined set of operating rules].”

5. Regarding claim 20, Yang et al. discloses a “method for printing with an inkjet printhead (4 in figure 1) bi-directionally over a printzone by printing one swath in a first direction and a subsequent swath in a second direction(as seen in by the arrow 14 in figure 1; column 2, lines 50-55), comprising:

printing the one swath;

monitoring the temperature of the printhead (column 4, line 66 – column 5, line 5; even if it’s stated in the reference that the detector detects the temperature of the printhead at the beginning of each swath, it’s the same to state it is detecting the temperature at the end of each swath);

in response to a monitored end of swath temperature following conclusion of printing the one print swath, changing the printhead temperature to a base temperature prior to beginning printing of the subsequent swath, wherein the changing sets the base temperature for printing the one swath at a first temperature, and the base temperature

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for printing the subsequent swath at a second temperature above the first temperature (as seen in the table in figure 3; column 4, lines 6-20); and  
printing the subsequent swath.”

***Allowable Subject Matter***

6. Claim 4-12, 14-17, 22-24, and 26-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

8. Prior art does not disclose or suggest the “fixed second temperature [claims 4 and 22].”

9. Prior art does not disclose or suggest the claimed “system that allows the printhead temperature to drop to a third temperature below the first temperature prior to printing the subsequent swath [claims 7 and 23].”

10. Prior art does not disclose or suggest the claimed “second temperature being a fixed value less than the end of swath temperature for the one swath [claim 9, 14, and 26].”

***Response to Arguments***


Applicant's arguments with respect to claims 3, 19, and 20 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jannelle M. Lebron whose telephone number is (571) 272-2729. The examiner can normally be reached on Monday thru Friday 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JML  
02/06/2006

  
LAMSON NGUYEN  
PRIMARY EXAMINER  
02/06/06